

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:06CV399

EXECUTIVE RISK INDEMNITY, INC.,)

Plaintiff,)

Vs.)

ORDER

ALEXANDER KLOSEK, individually)

and as Trustee of Pinnacle)

Fiduciary & Trust Group Irrevocable)

Asset Management Trust,)

Defendant.)

_____)

THIS MATTER is before the Court on the Plaintiff's "limited objection" to the Memorandum and Recommendation of the Magistrate Judge.

Plaintiff states that although it has no objections to the Memorandum and Recommendation itself, clarification is requested on the narrow issue contained therein "regarding the scope of the judgment to be entered against the Defendant [Klosek] in his individual capacity." Because the Plaintiff's "limited objection" actually seeks clarification of the Magistrate Judge's ruling, this matter will be remanded to the Magistrate Judge for that purpose.

IT IS SO ORDERED.

Signed: April 30, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

